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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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7 WILLIAM ROBINSON,
8 v.
9 STEPHEN B. WOLFSON, et al.,
10
11 Defendants.

Case No. 2:15-cv-00556-JAD-PAL
ORDER
(IFP Application – Dkt. #3)

12 This matter is before the Court on Plaintiff William Robinson's Application to Proceed *In*
13 *Forma Pauperis* (Dkt. #3) pursuant to 28 U.S.C. § 1915. Plaintiff is a prisoner proceeding in this
14 action *pro se*, and submitted a Complaint (Dkt. #1-1) along with a financial affidavit and inmate
15 trust account statement required by 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1 and 1-2.
16 This proceeding was referred to the undersigned pursuant to the provisions of 28 U.S.C.
17 § 636(b)(1)(A) and (B) and Local Rules IB 1-9.

18 Plaintiff's financial affidavit shows that he is unable to prepay fees and costs or give
19 security for them. Accordingly, his request to proceed in forma pauperis will be granted
20 pursuant to 28 U.S.C. § 1915(a). Plaintiff must pay an initial partial filing fee of the greater of
21 twenty percent of the average monthly deposits or twenty percent of the average monthly balance
22 of his account for the six months immediately preceding the commencement of this action. *See*
23 28 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is .04¢, and his average monthly
24 deposits are \$26.28. Therefore, the Court finds that Plaintiff must pay an initial partial filing fee
25 of \$5.26.

26 Upon receipt of the initial partial filing fee, the Court will screen Plaintiff's complaint
27 pursuant to 28 U.S.C. § 1915A ("The court shall review, before docketing, if feasible or, in any
28 event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner

1 seeks redress from a government entity or officer or employee of a governmental entity").
2 Plaintiff is advised that even if this action is dismissed, he must still pay the full filing fee
3 pursuant to 28 U.S.C. § 1915(b)(2).

4 Accordingly,

5 **IT IS ORDERED:**

6 1. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #1) is GRANTED.
7 He shall be required to pay an initial partial filing fee in the amount of \$5.26
8 toward the full filing fee of \$350.00.¹ Plaintiff shall have until **August 17, 2015**,
9 to have the designated fee sent to the Clerk of the Court. Failure to do so may
10 result in a recommendation to the district judge for dismissal of this action. Even
11 if this action is dismissed, the full filing fee must still be paid pursuant to 28
12 U.S.C. § 1915(b)(2). Upon receipt of the initial partial filing fee, the Court will
13 screen Plaintiff's complaint pursuant to 28 U.S.C. § 1915(a).

14 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
15 prepayment of any additional fees or costs or the giving of security therefor. This
16 Order granting *in forma pauperis* status shall not extend to the service of
17 subpoenas at government expense.

18 3. The Clerk of Court shall provide Plaintiff with two copies of this Order. Plaintiff
19 is ordered to make the necessary arrangements to have one copy of this Order
20 attached to the check in the amount of the initial partial filing fee.

21 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Clark County Detention Center shall
22 forward to the Clerk of the United States District Court, District of Nevada,
23 twenty percent preceding month's deposits to Plaintiff's account (in the months
24 that the account exceeds \$10.00) until the full \$350.00 filing fee has been paid for
25 this action. The Clerk of the Court shall send a copy of this Order to the Finance
26 Division of the Clerk's Office and the CCDC Accounting Supervisor, 330 S.
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28 ¹ Pursuant to the court's Schedule of Fees dated January 1, 2015, the administrative fee of \$50.00 does not apply to persons granted *in forma pauperis* status under 28 U.S.C. § 1915.

1 Casino Center Blvd. Las Vegas, NV 89101. If Plaintiff should be transferred and
2 come under the care of the Nevada Department of Prisons, the CCDC Accounting
3 Supervisor is directed to send a copy of this Order to the attention of the Chief of
4 Inmate Services for the Nevada department of Prisons, P.O. Box 7011, Carson
5 City, NV 89702, indicating the amount that Plaintiff has paid towards his filing
6 fee, so that funds may continue to be deducted from Plaintiff's account.

7 Dated this 17th day of July, 2015.

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9 PEGGY A. TEES
10 UNITED STATES MAGISTRATE JUDGE
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